

RESOLUTION NO. _____

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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS
EXTENDING THE TERM OF THE FRANCHISE TO PROVIDE CABLE
SERVICES FOR AN ADDITIONAL SIX MONTHS FROM THE DATE OF
EXPIRATION**

WHEREAS, the City of Milpitas granted a franchise to provide cable services within the City on April 15, 1983; and

WHEREAS, the franchise is currently held by Comcast of California/Colorado/Florida/Oregon, Inc.; and

WHEREAS, the cable services franchise initially expired on April 14, 2003; and

WHEREAS, by Resolution Number 7356, the City of Milpitas had extended the franchise until April 10, 2004; and

WHEREAS, the City has initiated a review of the cable services franchise and has initiated a needs assessment; and

WHEREAS, the City anticipates that these actions will not be completed in time to allow for a completion of renewal proceedings prior to the expiration of the cable services franchise.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Milpitas does hereby extend the term of cable services franchise granted on April 15, 1983 until April 10, 2005

BE IT FURTHER RESOLVED, that Comcast of California/Colorado/Florida/Oregon, Inc., shall submit to the City Clerk within thirty (30) calendar days of the date of this Resolution a written acceptance in substantially the same form as shown in Attachment A.

BE IT FURTHER RESOLVED, that Comcast of California/Colorado/Florida/Oregon, Inc., or its successor, shall continue to perform all of its obligations and to be subject to all the requirements of the cable services franchise granted on April 15, 1983 and all amendments made thereafter during the term of the extension granted by this Resolution.

* * * * *

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milpitas, as follows:

PASSED AND ADOPTED this _____ day of _____, 2004, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Gail Blalock, City Clerk

Jose Esteves, Mayor

APPROVED AS TO FORM:

Steven T. Mattas, City Attorney

ACCEPTANCE AND AGREEMENT

ATTACHMENT A

Comcast of California/Colorado/Florida/Oregon, Inc., hereby accepts this Resolution No. _____ ("Resolution") and agrees to be bound by the terms and conditions of this Resolution and the lawful terms and conditions of the Franchise referenced within the Resolution.

Dated this _____ day of _____, 2004

Comcast of California/Colorado/Florida/Oregon, Inc.

By: _____

Its: _____

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was subscribed and sworn to before me this ____ day of _____, 2004, by _____, the _____ of Comcast of California/Colorado/Florida/Oregon, Inc.

SEAL

Notary Public